

**Federal Defenders
OF NEW YORK, INC.**

David E. Patton
*Executive Director
and Attorney-in-Chief*

The Honorable Philip M. Halpern
District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4154

Application granted.

The sentencing of Defendant Francis Hughes is adjourned from February 23, 2023 to July 18, 2023 at 10:00 a.m. in Courtroom 520.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
February 3, 2023

Re: United States v. Francis Hughes
21-cr-00584(PMH)

Dear Honorable Halpern:

I am writing on behalf of Francis Hughes to ask that Your Honor please adjourn Mr. Hughes's sentencing. As background, Mr. Hughes pleaded guilty on August 16, 2022 and, at that time, his sentencing was scheduled for February 23, 2023. But then in November, 2022, [REDACTED], which was granted by Your Honor.¹ Due to this [REDACTED], Probation only recently was able to disclose the draft PSR to me, and due to a COVID-19 outbreak at Mr. Hughes' unit at the Westchester County Jail, I have been unable to review the draft PSR with Mr. Hughes. Earlier today, I reached out to Sergeant Kitt at the Westchester County Jail and asked when the jail's quarantine would be lifted to enable me to meet with Mr. Hughes. Sergeant Kitt informed me that Mr. Hughes's unit has had multiple cases of COVID-19 and that the unit would be "cleared" for visits in 3 to 10 days.² Under these circumstances, I ask that Mr. Hughes's sentencing be delayed so that I may have sufficient time to review the draft PSR with Mr. Hughes and note any objections with Probation.³

¹ At that point, I was under the impression that Mr. Hughes's sentencing had been postponed to March 31, 2023, as is indicated in the draft PSR.

² Sgt. Kitt explained that this quarantine, which is being implemented after the unit was under a previously imposed quarantine last week, is operating differently than the typical 7 to 10 day quarantine and that this new quarantine will be lifted once everyone tests negative.

³ Relatedly, an adjournment is necessary to comply with Rule 32(e)(2), which requires that Mr. Hughes be given a copy of his PSR at least 35 days prior to his sentencing.

I have spoken to AUSA Marcia Cohen, and she does not object to delaying Mr. Hughes's sentencing to a date in late April.⁴

Thank you for your consideration.

Sincerely,

//s

Benjamin Gold
Assistant Federal Defender

cc: AUSA Marcia Cohen

⁴ I am unavailable March 29, 2023 through April 17, 2023.